

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION**

**MEMBERSHIP BALANCE PLAN
OF THE MOTOR CARRIER SAFETY ADVISORY COMMITTEE**

1. COMMITTEE'S OFFICIAL DESIGNATION: The committee's official designation is the Motor Carrier Safety Advisory Committee (MCSAC).
2. AUTHORITY: The Committee is renewed under the authority of the U.S. Department of Transportation (DOT), established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2. *See* Memorandum of the President entitled, "Regulatory Reinvention Initiative" (March 4, 1995) and Sec 6(a) of Executive Order 12866 (Sept 30, 1993).
3. MISSION/FUNCTION: The committee will provide advice and recommendations to the Administrator of the FMCSA on motor carrier safety programs and motor carrier safety regulations.
4. POINTS OF VIEW: The committee consists of members from FMCSA's stakeholder groups, representing the motor carrier industry (including insurance carriers that provide service to the motor carrier industry), safety advocates, safety enforcement, and labor officials. The MCSAC membership numbers 20, consistent with the statutory membership ceiling.
 - a. The committee may be comprised of up to 20 members, who are selected from among individuals who are not employees of FMCSA and who are specially qualified to serve on the committee based on their specialized experience, education, or training in commercial motor vehicle safety issues. The members include representatives of the motor carrier industry, safety advocates, labor, and safety enforcement officials.
 - b. The Agency seeks every opportunity to achieve greater balance on the committee and has done so since the committee was established in September 2006. As of the most recent selection of members in June 2013, the membership is balanced among the sectors at seven members from industry, five from enforcement, five from safety (one of whom is the current chairman), and three from labor. The terms of all committee members will be renewed for two years with this new charter. With each appointment, the Agency seeks to achieve great balance among the membership sectors.
5. OTHER BALANCE FACTORS: In addition to the factors stated above to balance the committee membership, the Agency seeks balance with regard to the following factors: gender; geographic area; race and ethnicity; expertise; diversity of work sector; and other factors to achieve the most diverse and comprehensive points of view.

6. CANDIDATE IDENTIFICATION PROCESS

- a. When openings arise on the committee, the Agency solicits membership from among the representative sectors through a notice in the Federal Register and other advertisements, as necessary. Adequate time is allowed for candidates to apply or be nominated.
 - b. Upon the closing of the application period, candidate applications are compiled and reviewed and recommendations for membership made by the committee liaison to the FMCSA Associate Administrator for Policy, who serves as the committee Designated Federal Officer (DFO), and then to the FMCSA Administrator for consideration and selection.
 - c. Under the MCSAC Charter, committee members continue to serve until new members have been appointed to replace them. Members may be appointed by the Administrator for up to 2-year terms, and may be reappointed to one consecutive term, up to a maximum of 5 years.
 - d. The White House has issued guidance to executive agencies and departments that federally registered lobbyists not be appointed to agency advisory boards and commissions. Pursuant to this guidance, FMCSA will not consider for appointment to the MCSAC any individual who is subject to the registration and reporting requirements of the Lobbying Disclosure Act. 2 U.S.C. 1605.
7. SUBCOMMITTEE BALANCE: In the event that subcommittees are established, they will be balanced according to the criteria discussed above.
 8. DATE PREPARED/UPDATED: This Membership Balance Plan was prepared initially on November 19, 2010, and has been updated in conjunction with the charter every 2 years.